

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

EDWARD DONALD BURLEY,

Plaintiff,

v.

Case No. 18-12239

Hon. George Caram Steeh

MICHELLE WILLIAMS-WARD,
RANDALL HAAS,
GEORGE STEPHENSON,
REGINA JENKINS-GRANT, and
CARYLON WILLIAMS, *et al.*,

Defendants.

_____ /

ORDER DENYING MOTION
FOR RECONSIDERATION (ECF NO. 66)

On October 5, 2020, the court entered an order granting Defendants' motion for an extension of time to conduct discovery and for leave to file a second dispositive motion. The court also denied Plaintiff's motion to appoint counsel without prejudice. ECF No. 64. Plaintiff requests that the court vacate its order, because he did not receive Defendants' motion and would have filed a response opposing it. Defendants contend that they mailed a copy to Plaintiff on September 4, 2020.

The court is aware of mail delays precipitated by the COVID-19 pandemic and seeks to avoid prejudice to litigants as a result of such

delays. In this instance, the court finds that Plaintiff has not been prejudiced by failing to receive Defendants' motion or file a response. The court granted an extension of discovery and leave to file dispositive motions, a matter of procedure applicable to both parties. This ruling is consistent with the court's inherent authority to manage its docket and will allow for an exploration of the merits of this case prior to trial. Plaintiff has not articulated any prejudice as a result of this extension of time; nonetheless, any potential prejudice to Plaintiff is outweighed by the interests of justice and judicial economy.

Therefore, IT IS HEREBY ORDERED that Plaintiff's motion for reconsideration is DENIED.

Dated: October 26, 2020

s/George Caram Steeh
GEORGE CARAM STEEH
UNITED STATES DISTRICT JUDGE

CERTIFICATE OF SERVICE

Copies of this Order were served upon attorneys of record on October 26, 2020, by electronic and/or ordinary mail and also on Edward Donald Burley #502426, Ionia Maximum Correctional Facility, 1576 W. Bluewater Highway, Ionia, MI 48846.

s/Brianna Sauve
Deputy Clerk